IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

Bail Appl..No. 4742 of 2007()

(CR.NO.17/2007 OF PAZHAYANNUR EXCISE RANGE)

PETITIONER/ACCUSED:

MANI @ RAMAKUMARAN, S/O.PONNAN,
POOVATHINGAL HOUSE, PLAKODE, PARAKUNNU DESOM,
PULAKODE.

BY ADV. SRI.C.A.CHACKO
SRI.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENT: COMPLAINANT:

THE STATE OF KERALA,
REPRESENTING EXCISE INSPECTOR,
PAZHAYANNUR EXCISE RANGE, REP.BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4742 of 2007

Dated this the 7th day of August 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5 litres of arrack on 22/7/2007. He was arrested and continues in custody from that date. Without and before moving the learned Sessions Judge, the petitioner has rushed to this court. The petitioner has another earlier case under the Kerala Abkari Act also pending against him, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 16/08/2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007